

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

	X		
	:		
In re	:		Chapter 11
	:		
TK HOLDINGS INC., et al.,	:		Case No. 17-11375 (BLS)
	:		
Debtors.¹	:		(Jointly Administered)
	:		
	X		Re: <u>Docket No. 4679</u>

**ORDER SUSTAINING THE REORGANIZED TK HOLDINGS TRUST’S
TWENTY-EIGHTH OMNIBUS OBJECTION TO CLAIMS – NON-SUBSTANTIVE**

(Amended & Superseded Claims, Duplicate Claims, Late Claims)

Upon the objection (the “*Objection*”),² of the Reorganized TK Holdings Trust (the “*Trust*”), pursuant to section 502 of title 11 of the United States Code (the “*Bankruptcy Code*”), Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “*Bankruptcy Rules*”), and Rule 3007-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “*Local Rules*”), for entry of an order disallowing certain proofs of claim, all as more fully set forth in the Objection; and upon consideration of the Koluch Declaration; and this Court having jurisdiction to consider the Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334, and the *Amended Standing Order of Reference* from the United States District Court for the District of

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, as applicable, are: Takata Americas (9766); TK Finance, LLC (2753); TK China, LLC (1312); TK Holdings Inc. (3416); Takata Protection Systems Inc. (3881); Interiors in Flight Inc. (4046); TK Mexico Inc. (8331); TK Mexico LLC (9029); TK Holdings de Mexico, S. de R.L. de C.V. (N/A); Industrias Irvin de Mexico, S.A. de C.V. (N/A); Takata de Mexico, S.A. de C.V. (N/A); and Strosshe-Mex, S. de R.L. de C.V. (N/A). Except as otherwise set forth herein, the Debtors’ international affiliates and subsidiaries are not debtors in these chapter 11 cases.

² Capitalized terms used but not otherwise herein defined shall have the meanings ascribed to such terms in the Objection.

Delaware dated February 29, 2012; and consideration of the Objection and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Objection having been provided to the parties listed therein, and it appearing that no other or further notice need be provided; and this Court having reviewed the Objection; and this Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and it appearing that the relief requested in the Objection is in the best interests of the Trust, the Debtors' estates, creditors, and all parties in interest; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Objection is granted as provided herein.
2. Pursuant to section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1, the proofs of claim listed on Exhibit A annexed hereto under the heading "Amended and Superseded Claims" are disallowed and expunged in their entirety.
3. Pursuant to section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1, the proofs of claim listed on Exhibit B annexed hereto under the heading "Duplicate Claims" are disallowed and expunged in their entirety.
4. Pursuant to section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1, the proofs of claim listed on Exhibit C annexed hereto under the heading "Late Filed Claims" are disallowed and expunged in their entirety.

5. The responses to the Objection of Sonya Y. McNeal ([Docket No. 4700](#)) and Sudan Salaam ([Docket No. 4701](#)) are adjourned to the next omnibus hearing on June 29, 2022 at 9:00 a.m. (ET).

6. This Order has no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of any claim referenced and/or identified in the Objection that is not listed on [Exhibit A, Exhibit B, or Exhibit C](#) annexed hereto, and all rights to object to or defend against such claims on any basis are expressly reserved.

7. Should one or more of the grounds of objection stated in the Objection be dismissed, the Trust's rights to object on any other grounds that the Trust discovers during the pendency of these Chapter 11 Cases are preserved.

8. Each of the Claims and the objections by the Trust to such claims, as set forth on [Exhibit A, Exhibit B, or Exhibit C](#) hereto, constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014 and Local Rule 3007-1. This Order shall be deemed a separate Order with respect to each such Claim. Any stay of this Order pending appeal by any claimants whose claims are subject to this Order shall only apply to the contested matter which involves such claimant and shall not act to stay the applicability and/or finality of this Order with respect to the other contested matters listed in the Objection or this Order.

9. The Trust and its claims and noticing agent, Prime Clerk LLC, and the Clerk of this Court are authorized to take all steps necessary or appropriate to carry out this Order.

10. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Dated: May 31st, 2022
Wilmington, Delaware



BRENDAN L. SHANNON
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT A

Exhibit A - Amended and Superseded Claims									
Surviving Claims									
No.	Claimant	Claim Number	Claim Amount	Asserted Debtor	Claimant Name	Claim Number	Claim Amount	Asserted Debtor	
1	Gabriele, Rachel L. 30 Glenville St. Apt. #2 Greenwich, CT 06831	P-0058187	\$40,125,000 \$0 (P) \$0 (S) \$0 (A) \$40,125,000 (T)	TK Holdings Inc., et al.	Gabriele, Rachel 168 Evergreen Lane P.O. Box 255 Roxbury, CT 06783	5129	\$60,000 \$0 (P) \$0 (S) \$0 (A) \$60,000 (T)	TK Holdings Inc.	
2	Gabriele, Rachel 168 Evergreen Lane P.O. Box 255 Roxbury, CT 06783	5129	\$60,000 (U) \$0 (P) \$0 (S) \$0 (A) \$60,000 (T)	TK Holdings Inc.	GABRIELE, RACHEL 168 EVERGREEN LANE PO BOX 255 ROXBURY, CT 06783	5134	\$2,500,000 (U) \$0 (P) \$0 (S) \$0 (A) \$2,500,000 (T)	TK Holdings Inc.	
3	GABRIELE, RACHEL 168 EVERGREEN LANE PO BOX 255 ROXBURY, CT 06783	5134	\$2,500,000 (U) \$0 (P) \$0 (S) \$0 (A) \$2,500,000 (T)	TK Holdings Inc.	Gabriele, Rachel 168 Evergreen Lane PO Box 255 Roxbury, CT 06783	5135	\$2,500,000 (U) \$0 (P) \$0 (S) \$0 (A) \$2,500,000 (T)	TK Holdings Inc.	
4	Gabriele, Rachel 168 Evergreen Lane PO Box 255 Roxbury, CT 06783	5135	\$2,500,000 (U) \$0 (P) \$0 (S) \$0 (A) \$2,500,000 (T)	TK Holdings Inc.	Gabriele, Rachel 168 Evergreen Lane P.O. Box 255 Roxbury, CT 06783	5136	\$2,500,000 (U) \$0 (P) \$0 (S) \$0 (A) \$2,500,000 (T)	TK Holdings Inc.	
5	Gabriele, Rachel 168 Evergreen Lane P.O. Box 255 Roxbury, CT 06783	5136	\$2,500,000 (U) \$0 (P) \$0 (S) \$0 (A) \$2,500,000 (T)	TK Holdings Inc.	Gabriele, Rachel 168 Evergreen Lane PO Box 255 Roxbury, CT 06783	5137	\$2,500,000 (U) \$0 (P) \$0 (S) \$0 (A) \$2,500,000 (T)	TK Holdings Inc.	
6	Martinez, Cliff D 8311 Copperglen Converse, TX 78109	P-0005143	\$25,000 (U) \$0 (P) \$0 (S) \$0 (A) \$25,000 (T)	TK Holdings Inc., et al.	Martinez, Cliff D 8311 Copperglen Converse, TX 78109	P-0058413	\$1,336 (U) \$0 (P) \$0 (S) \$0 (A) \$1,336 (T)	TK Holdings Inc., et al.	
7	Miller, Lynda Kay 5438 Doverel Hwy Dawson, GA 39842-2645	201	\$8,000 (U) \$0 (P) \$0 (S) \$0 (A) \$8,000 (T)	TK Holdings Inc.	Miller, Lynda Kay 5438 Doverel Hwy Dawson, GA 39842-2645	591	\$8,000 (U) \$0 (P) \$0 (S) \$0 (A) \$8,000 (T)	TK Holdings Inc.	
8	Wolbach, Richard 43 Countryside Dr. Essex Jct., VT 05452	2788	\$500 (U) \$0 (P) \$0 (S) \$0 (A) \$500 (T)	TK Holdings Inc.	Wolbach, Richard 43 Countryside Drive Essex Junction, VT 05452	2785	\$2,850 (U) \$0 (P) \$0 (S) \$0 (A) \$2,850 (T)	TK Holdings Inc.	
(U) - Unsecured (P) - Priority (S) - Secured (A) - Administrative (T) - Total									

EXHIBIT B

Exhibit B - Duplicate Claims					Surviving Claims				
No.	Claimant	Claim Number	Claim Amount	Asserted Debtor	Claimant Name	Claim Number	Claim Amount	Asserted Debtor	
1	Abdulkarim, Rashidah A 306 Neptune Ave Unit 2 Jersey City, NJ 07305	2561	\$25,000 \$0 \$0 \$0 \$25,000 (T)	TK Holdings Inc.	Abdulkarim, Rashidah A 306 Neptune Ave Unit 2 Jersey City, NJ 07305	P-0024856	\$25,000 \$0 \$0 \$0 \$25,000 (T)	TK Holdings Inc., et al.	
2	Cheung Ho, Bing Ying 4379 Heritage Glen Ct. Marietta, GA 30068	2552	\$8,000 \$0 \$0 \$0 \$8,000 (T)	TK Holdings Inc.	Cheung Ho, Bing Ying 4379, Heritage Glen Court Marietta, GA 30068	P-0049886	\$8,000 \$0 \$0 \$0 \$8,000 (T)	TK Holdings Inc., et al.	
3	Hays, Antoinette 25836 Lake Shore Ln Moreno Valley, CA 92551-1650	4116	\$20,000 \$0 \$0 \$0 \$20,000 (T)	TK Holdings Inc.	Hays, Antoinette 15886 Lasselle Street Unit D Moreno Valley, CA 92551	P-0042516	\$20,000 \$0 \$0 \$0 \$20,000 (T)	TK Holdings Inc., et al.	
4	Ho, Ka-Chun 4379 Heritage Glen Ct. Marietta, GA 30068	2442	\$30,000 \$0 \$0 \$0 \$30,000 (T)	TK Holdings Inc.	Ho, Ka-Chun 4379, Heritage Glen Court Marietta, GA 30068	P-0049513	\$30,000 \$0 \$0 \$0 \$30,000 (T)	TK Holdings Inc., et al.	
5	Martinez, Cliff D 8311 Copperglen Converse, TX 78109	5133	\$1,336 \$0 \$0 \$0 \$1,336 (T)	TK Holdings Inc.	Martinez, Cliff D 8311 Copperglen Converse, TX 78109	P-0058413	\$1,336 \$0 \$0 \$0 \$1,336 (T)	TK Holdings Inc., et al.	
6	Murphy, Lee 133 Beach Summit Court Jupiter, FL 33477	4438	\$31,516 \$0 \$0 \$0 \$31,516 (T)	TK Holdings Inc.	Murphy, Lee 133 Beach Summit Court Jupiter, FL 33477	4432	\$31,516 \$0 \$0 \$0 \$31,516 (T)	TK Holdings Inc.	
7	Sacks, William 16 Harvest Irvine, CA 92604	P-0041267	\$10,000 \$0 \$0 \$0 \$10,000 (T)	TK Holdings Inc., et al.	Sacks, William 16 Harvest Irvine, CA 92604	P-0041251	\$10,000 \$0 \$0 \$0 \$10,000 (T)	TK Holdings Inc., et al.	
8	Stubbs, Laurel 5979 S 2825 W Roy, UT 84067	4626	\$3,792 \$0 \$0 \$0 \$3,792 (T)	TK Holdings Inc.	Stubbs, Laurel 5979 S 2825 W Roy, UT 84067	4275	\$3,792 \$0 \$0 \$0 \$3,792 (T)	TK Holdings Inc.	
(U) - Unsecured (P) - Priority (S) - Secured (A) - Administrative (T) - Total									

EXHIBIT C

Late Filed Claims							
No.	Claimant	Claim Number	Claim Amount		Asserted Debtor	Date Claim Filed	Reason for Disallowance
1	Jones, Bonnie 5259 Edith Ave Kansas City, KS 66104	5131	Unliquidated \$0 \$0 \$0 Unliquidated	(U) (P) (S) (A) (T)	TK Holdings Inc.	5/3/2021	Late Filed
2	Koccer, Frank 233 Leffler Circle Florence, NJ 08518	P-0058408	Unliquidated \$0 \$0 \$0 Unliquidated	(U) (P) (S) (A) (T)	TK Holdings Inc., et al.	8/12/2019	Late Filed
3	Moore, Mary Paula 2045 North Lake Drive Greenville, TX 75402	5132	\$6,000 \$0 \$0 \$0 \$0	(U) (P) (S) (A) (T)	TK Holdings Inc.	5/9/2021	Late Filed
(U) - Unsecured (P) - Priority (S) - Secured (A) - Administrative (T) - Total							